IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

LETTERS PATENT APPEAL NO.205 OF 2006
AGAINST
WRIT PETITION NO.5572 OF 2006

Shri.Ashok Krishnaji Chandgude
and Anr. ...Appellants.

Vs.

Shree Dnyaneshwar Maharaj
Sansthan Committee and
7 Ors. ...Respondents.

Mr.Shriram S. Kulkarni, Advocate for the appellants.

Mr.Milind Vasudeo with Swanand Ganoo i/b. M.G.Gawde, Advocate for the respondent.

Mrs.V.S.Mhaispurkar, A.G.P. for respondents 7 & 8.

CORAM : SMT.RANJANA DESAI AND
SMT.V.K.TAHILRAMANI,JJ.

DATED : OCTOBER 04, 2006.

P.C.:-

1. We have heard Mr.Kulkarni, the learned counsel appearing for the appellants at length. Mr.Kulkarni contended that the order of the learned District Judge, which is impugned in the instant writ petition suffers from patent illegalities and, therefore, the learned single Judge ought to have granted interim relief. He submitted that in the circumstances this

Court should grant interim relief or continue the order which this Court has passed on 26th September, 2006 till the instant writ petition is heard and finally disposed of.

2. We have been taken through the impugned order passed by the learned single Judge. In our opinion, paragraph 5 of the impugned order sufficiently protects the appellants. Besides, the learned single Judge has given direction to the Registry to the following effect :

> "Registry is directed to place this petition on board at the end of admission on board under caption "Hearing and final disposal at the stage of admission"".

3. In view of the above direction, we are not inclined to entertain the present letters patent appeal. Needless to say that if the appellants succeed in the instant writ petition, the entire exercise conducted by the District Judge may have to

be set aside.

4. We are informed that this Court has already ordered that the existing trustees shall not take major policy decisions. The said order shall continue to operate till the instant writ petition is finally disposed of.

5. Ad-interim order passed by us on 26th September, 2006 is vacated.

6. With the above observations, letters patent appeal is disposed of.

[SMT.RANJANA DESAI,J.]

[SMT.V.K.TAHILRAMANI,J.]